

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

SHEET METAL WORKERS LOCAL 265)	
WELFARE FUND, <i>et al.</i> ,)	
)	
Plaintiffs,)	CIVIL ACTION
)	
vs.)	NO. 12 C 0139
)	
ENGEL HEATING, LLC, an Illinois limited)	JUDGE GARY FEINERMAN
liability company,)	
)	
Defendant.)	

**MOTION FOR ENTRY OF DEFAULT, PARTIAL JUDGMENT
AND FOR AN ORDER DIRECTING DEFENDANT TO TURN
OVER MONTHLY FRINGE BENEFIT CONTRIBUTION REPORTS**

NOW COME Plaintiffs, by their attorneys, and move for entry of judgment by default against Defendant, ENGEL HEATING, LLC, an Illinois limited liability company, in the total amount of \$100,917.16, plus Plaintiffs' court costs and reasonable attorneys' fees in the amount of \$1,075.75.

Further, Plaintiffs move for entry of an order directing ENGEL HEATING, LLC, an Illinois limited liability company, Defendant herein, to turn over monthly fringe benefit contribution reports due for the months of September 2011 through the present date, pursuant to the Agreements and Declarations of Trust to which Defendant is bound, said Defendant having failed to answer or otherwise plead to the Complaint and the monthly contribution reports being required in order to fully liquidate Plaintiffs' claims.

On January 16, 2012, the Summons and Complaint was served on the Registered Agent (by tendering a copy of said documents to his receptionist, Amanda Orlandini, who was authorized to accept service) at his place of business (a copy of the Summons and Affidavit of Service is attached

hereto). Therefore, Defendant's answer was due on February 6, 2012. As Defendant has failed to timely answer the Complaint, Plaintiffs respectfully request entry of default, partial judgment and an order directing Defendant to turn over monthly fringe benefit contribution reports.

/s/ Jennifer L. Dunitz-Geiringer

Jennifer L. Dunitz-Geiringer
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/s/ Jennifer L. Dunitz-Geiringer

CERTIFICATE OF SERVICE

The undersigned, an attorney of record, hereby certifies that she electronically filed the foregoing document (Motion) with the Clerk of Court using the CM/ECF system, and further certifies that I have mailed the above-referenced document by United States Mail to the following non-CM/ECF participant on or before the hour of 5:00 p.m. this 23rd day of February 2012:

Mr. Terrence J. McKenna, Registered Agent
Engel Heating, LLC
Franks Gerkin & McKenna, PC
19333 E. Grant Highway
PO Box 5
Marengo, IL 60152

/s/ Jennifer L. Dunitz-Geiringer

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